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June 26, 2009

The Hon. Magistrate Judge Edward M. Chen
United States District Court
450 Golden Gate Avenue
San Francisco, CA 94102

Re: Gregory Bender v. Nokia, Inc., Case No. C 09-01247 EMC

Judge Chen:

I am writing this letter pursuant to and in accordance with my discussions with your calendar clerk to address and respectfully request the re-setting of the schedule for the initial case management conference and ADR deadlines and related events in the captioned case. It is my understanding that such request is a common and normal type of request. I sent a Notice of Lawsuit and Request for Waiver of Service of Summons and a Waiver of Service of Summons, along with a copy of the amended complaint, to Nokia, Inc. on May 25, 2009. I await a response. Rule 4 of the Federal Rules of Civil Procedure provides for a term of 120 days from date of issuance to serve a summons and complaint and, unless the litigation is resolved, we will comply with such requirement by serving the summons and amended complaint on or before July 20, 2009. On that basis, and assuming that, in such event, Nokia, Inc. answers by August 10, 2009, we would respectfully ask that the initial case management conference be re-set for a later date that would comport with such timing. If any additional information is required, please ask your clerk to let me know. She has been very helpful in this matter and I appreciate it greatly.

Thank you for your kind consideration.

Very truly yours,

/S/

David N. Kuhn

IT IS SO ORDERED that the case management conference is reset from 7/1/09 to 8/26/09 at 1:30 p.m. A joint CMC statement shall be filed by 8/19/09. Plaintiff is directed to serve a copy of this order upon defendant.

